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BEFORE THE

Federal Communications Commission

AUG 14 1995

WASHINGTON, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
Amendment of Parts 22, 90, and) WT Docket No. 95-70
94 of the Commission's Rules to)
Permit Routine Use of Signal)
Boosters)

COMMENTS
OF THE
AMERICAN PETROLEUM INSTITUTE

AMERICAN PETROLEUM INSTITUTE

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I. PRELIMINARY STATEMENT

^{1/} 60 Fed. Reg. 33782 (June 29, 1995). The dates for filing Comments and Reply Comments were extended to August 14 and September 1, 1995, respectively, by Order of the Commission. 60 Fed. Reg. 36772 (July 18, 1995).

production, refining, marketing, and transportation of petroleum, petroleum products and natural gas. Among its many activities, API acts on behalf of its members as spokesperson before federal and state regulatory agencies. The API Telecommunications Committee is one of the standing committees of the organization's Information Systems Committee. One of the Telecommunications Committee's primary functions is to evaluate and develop responses to state and federal proposals affecting telecommunications services and facilities used in the oil and gas industries. API has been an active participant for more than 45 years in all major Commission rule making proceedings affecting the use of two-way mobile radio in the Private Land Mobile Radio Services (PLMRS) in general, and the Petroleum Radio Service in particular.

2. The FCC has proposed in this proceeding to amend its rules to allow routine use of signal boosters by licensees of Part 90 PLMRS facilities, as well as those authorized pursuant to Part 22 for common carrier paging stations. The proposed amendments would also permit the use of signal boosters with multiple address systems (MASS)

governed by Part 94 of the Rules and Regulations.^{2/} The Commission tentatively concluded that, without separate Commission authorization, licensees may employ either narrowband (Class A) or broadband (Class B) signal boosters, using the antenna of their choice, provided that the licensee's basic coverage area is not expanded and no harmful interference is caused to other licensees.^{3/} The FCC also requested comment on the conditions under which the use of booster/translators would be preferable to a regular signal booster.^{4/}

3. API members operate extensive Private Land Mobile Radio Service and MAS systems. Signal boosters and booster/translators can be quite useful in the oil and gas industries to fill in communications "dead spots" in storage tanks, below-ground facilities, refineries and areas with difficult terrain. Use of these devices can add value and enhance the safety and reliability of API members' systems.

^{2/} Notice at ¶ 1.

^{3/} Notice at ¶ 6-7, 12.

^{4/} Notice at ¶ 9-10.

Accordingly, API is pleased to submit the following Comments.

II. COMMENTS

A. **Use of Signal Boosters Should Not Require Separate Commission Authorization**

4. API supports the tentative conclusion discussed in the Notice that use of signal boosters should not require a separate FCC authorization. Motorola's suggestion that the use of boosters must be reflected on a licensee's station authorization may serve to unnecessarily discourage their licensing and burden the FCC with an added but unnecessary licensing function.^{5/} However, implementation of this type of regulatory permissiveness may require the Commission to respond to an increased number of interference complaints since the lack of booster geographic site information on licenses may complicate the identity of an interference source.

^{5/} Motorola Comments at 3.

B. Licensees Should Be Provided Blanket Authority to Use Booster/Translators Within Their Existing Service Area

5. Blanket authority to use signal boosters within a licensee's existing service area would complement the FCC's interest in ensuring the more efficient usage of existing spectrum and should not extend a licensee's authorized coverage area. There are instances in which the use of a booster/translator system may be superior to the use of only a booster. Since a second channel would be used for the output frequency, however, it should be coordinated and included in the licensee's authorization.

C. There are Identifiable Exemptions to the Proposed 500 Milliwatt (mw) Booster Limit

6. Booster operations above 500 mw should be allowed as long as those operations do not expand a licensee's authorized coverage area or cause harmful interference to other licensees. For example, the use of a directional antenna in conjunction with a booster having more than 500 mw power output to complete coverage in rough terrain should be permitted. Hopefully, the "expanded coverage

area" and "harmful interference" tests will protect co-channel licensees from interference. Concerns have been expressed, however, that these tests are so ill defined that they may not be particularly useful. API urges the Commission to be particularly responsive to any interference complaints.

III. CONCLUSION

7. API congratulates the FCC for making the proposal advanced in the Notice. API members rely extensively on their PLMRS and MAS systems. Blanket authority to use signal boosters to enhance coverage in a licensee's existing service area will avoid imposing administrative licensing burdens on the Commission and licensees, and advance the goal of promoting more efficient usage of the radio spectrum. This process may lead to an increased number of interference complaints; and, if so, API strongly urges the Commission to respond promptly to ensure early resolution of any disputes.

WHEREFORE, THE PREMISES CONSIDERED, the American Petroleum Institute respectfully submits the foregoing

Comments and urges the Federal Communications Commission to adopt rules permitting the blanket usage of signal boosters in a manner consistent with the views expressed herein.

Respectfully submitted,

AMERICAN PETROLEUM INSTITUTE

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